

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States Courts
Southern District of Texas

FILED

July 09, 2019

David J. Bradley, Clerk of Court

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)Case No. **4:19mj1213**Priority Mail parcel 9505513805779171227022
Addressed to "Curt F., 19728 Saums Rd #178, Houston,
TX 77084"

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail parcel 9505513805779171227022 Addressed to "Curt F., 19728 Saums Rd #178, Houston, TX 77084", currently located at the USPS Houston Office, 4600 Aldine Bender Rd. #400 Houston, TX 77315." located in the southern District of Texas, there is now concealed (identify the person or describe the property to be seized):

Narcotics and/or controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 USC 841(a)(1)	Distribution of a Controlled Substance
21 USC 846	Conspiracy

The application is based on these facts:
see attached affidavit

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days; _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Joseph MacDougall, Postal Inspector

Printed name and title

SUBSCRIBED TO AND SWORN TELEPHONICALLY on July 10, 2019.

Christina A. Bryan
Christina A. Bryan
United States Magistrate Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In the Matter of the Search of	§	
	§	Magistrate No.
	§	
United States Postal Service	§	
Priority Mail Parcel	§	
9505513805779171227008	§	
9505513805779171227015	§	
9505513805779171227022	§	
9505513805779171227039	§	

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Joseph MacDougall, being duly sworn, state the following:

1. I have been employed by the United States Postal Inspection Service for the past seven (7) years. During my career as a federal law enforcement officer, I have worked drug trafficking investigations and participated in hundreds of controlled substance investigations involving the transportation of controlled substances or proceeds/payments through parcel delivery services, to include the United States Mails, as well as private delivery couriers such as United Parcel Service (UPS) and Federal Express (FedEx). During this time I have intercepted or helped in intercepting in excess of one thousand (1000) parcels which were found to have contained controlled substances or the proceeds of controlled substance sales. I have received training by the U.S. Postal Inspection Service (USPIS) in the investigation of controlled substances or the proceeds of narcotics sales being transported through parcel delivery services.

2. I also rely upon the training and experience of other members of the USPIS Houston Division Narcotics Team. The team is comprised of seven (7) members, four (4) of whom have been assigned to narcotics investigations for at least two (2) years. During that time, the USPIS

Houston Division Narcotics Team has intercepted in excess of five thousand (5,000) parcels which were found to have contained controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances.

3. Experience and drug trafficking intelligence information gathered by the USPIS have demonstrated that the U. S. Postal Service Express Mail and Priority Mail are frequently utilized by drug traffickers for shipping controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances. Use of Express Mail and Priority Mail are favored because of the speed (Express Mail - overnight; Priority mail - two day delivery), reliability, free telephone and Internet package tracking services, as well as the perceived minimal chance of detection. Express Mail and Priority Mail were originally intended for urgent, business to business, correspondence. Intelligence from prior packages, which were found to contain controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, has indicated that these parcels are usually addressed from an individual to an individual. Express Mail and Priority Mail are seldom used for individual to individual correspondence.

4. In an effort to combat the flow of controlled substances through the overnight delivery services, interdiction programs have been established in cities throughout the United States by the USPIS. These cities have been identified as known 'sources' of controlled substances. The USPIS conducts an ongoing analysis of prior packages mailed through overnight delivery services, which were found to contain controlled substances or proceeds/payments of controlled substance sales. The analysis of prior packages, which were found to contain controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, indicated that these parcels are usually sent from an individual to an individual. In the few cases when overnight delivery packages containing controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, have displayed a business or company name, it has usually proven to be fictitious or used without the owner's

knowledge and consent. Additionally, this analysis has established a series of characteristics which, when found in combination of two (2) or more, have shown a high probability that the package will contain a controlled substance or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances. Information collected by the USPIS has demonstrated that the presence of these characteristics is significant for delivery services, to include U. S. Postal Service Express Mail, Federal Express, and United Parcel Service. This profile includes, but is not limited to, the following characteristics: package mailed from or addressed to a narcotic source city; package has a fictitious return address; package addressee name is unknown at the destination address; package sender name is unknown at the return address; package has address information which is handwritten; package is mailed to or from a Commercial Mail Receiving Agency (CMRA); package is addressed from an individual to an individual; phone numbers listed on the package are not related to the listed parties or are not in service; packages are wrapped and/or heavily taped; frequency of the mailings is inconsistent with normal use absent a business relationship; and the ZIP Code from where the package is mailed is different than the ZIP Code used in the return address.

5. The USPIS analysis of prior narcotics packages mailed through overnight delivery services has consistently shown that the identification of 'source' cities has proven to be one of several reliable characteristics used in identifying suspect parcels. This analysis has also demonstrated that narcotics parcels originating from states other than source locations have been consistently found to contain 'designer' drugs, such as Ecstasy, GBL, GHB, Anabolic Steroids, and other similar controlled substances. Generally such 'designer drugs' are not organic and are the product of a laboratory process. USPIS has identified Los Angeles, CA as a source city for narcotics.

6. This affidavit is made in support of an application for a Federal search warrant to search United States Postal Service (USPS) Priority Mail Parcels 9505513805779171227008 ("Subject Parcel 1"), 9505513805779171227015 ("Subject Parcel 2"), 9505513805779171227022 ("Subject Parcel 3), and 9505513805779171227039 ("Subject Parcel 4") described more particularly as follows:

Subject Parcel 1:	Express Mail Parcel 9505513805779171227008
Subject Parcel 2:	Express Mail Parcel 9505513805779171227015
Subject Parcel 3:	Express Mail Parcel 9505513805779171227022
Subject Parcel 4:	Express Mail Parcel 9505513805779171227039

Addressee:	Curt F. 19728 Saums RD #178 Houston, TX 77084
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Sender:	Mike Lee 4125 W. Pico Blvd LA, CA 90019
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Size/Dimensions:	White Medium Priority Flat-Rate Mailing Box Approximately 12" x 12" x 6"
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Postmarked:	June 20, 2019
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Postmark City:	Los Angeles, CA 90006
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Postage Amount:	\$19.95
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Parcel 1 Weight:	9 lb. 10.4 oz.
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Parcel 2 Weight:	9 lb. 8.8 oz.
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Parcel 3 Weight:	9 lb. 10.0 oz.
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Parcel 4 Weight:	9 lb. 9.oz.
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7. On December 11, 2018, Inspector MacDougall was contacted by Inspector Jared Dimick, Salt Lake City, who reported a company operating out of California, "Golden Gorilla", was operating as an unlicensed Marijuana and THC vaporizer cartridges, (tetrahydrocannabinol, a schedule 1 controlled substance), and distributing them via the US

Mail service. Inspector Dimick reported that a large amount of shipments were being sent to the Houston, TX area.

8. Inspector MacDougall was contacted by Det. Jason Weathers, Katy PD, who reported that pursuant to a traffic stop of Curtis Fournier, Katy PD had recovered 4 boxes containing over 400 grams of Golden Gorilla THC products. Inspector MacDougall went to Katy PD in order to conduct an interview with Fournier. Inspector MacDougall gave written and verbal Miranda Rights to Fournier, who agreed to waive his rights and speak with law enforcement. The interview was recorded audio and visually. During the interview, Fournier stated he had been selling Golden Gorilla products from California in the Houston area for the past year. On July 1, 2019, during a subsequent interview, Fournier stated that he operated a PO Box in Houston that he also received shipments from Golden Gorilla. Inspector Ridley recovered four (4) priority mail parcels (Subject Parcels 1-4) at the location awaiting pick up, and a copy of the PO Box application that listed Curtis Fournier as the box holder. The parcels were secured at the US Postal Inspection Houston Headquarters office. On approximately July 3, 2019, Fournier broke off communication and cooperation with law enforcement.

9. On July 9, 2019, Inspector MacDougall queried the listed return address of "4135 W. Pico Blvd. Los Angeles, CA 90019" and found it to be a legitimate return address, however no "Mike Lee" was associated to that address. Additionally, all found parcels recovered from Katy PD were listed with the same name and return address with similar handwriting. Inspector MacDougall knows based upon his experience and training that narcotics traffickers often use fictitious return addresses to conceal their true identities from law enforcement.

10. In order to not further delay the mail, on July 9, 2019, the aforementioned Subject Parcels 1-4 were exposed to a narcotic detection canine "Yeti" at the US Postal Inspection Service Office located at 4600 Aldine Bender Rd., #400 Houston, TX 77315. "Yeti" is handled by Mike Garcia, Canine officer with the Texas Department of Public Safety. Trooper Garcia and "Yeti" are certified as a team in the detection of controlled substances. "Yeti" has numerous hours of training in the detection of controlled substances such as

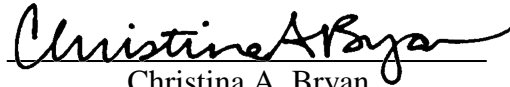
Marijuana, Cocaine, Methamphetamine, Ecstasy and Heroin. "Yeti" has successfully alerted on concealed controlled substances in numerous prior cases, which has led to the arrest of numerous suspects for drug law violations. The Subject Parcels 1-4 were then placed along the inspection service hallway with inert "dummy" boxes between each. "Yeti" conducted an on leash search of the hallway containing the Subject Parcels 1-4 and the dummy boxes. According to Trooper Garcia, "Yeti" indicated a positive alert to the presence of a controlled substance scent inside the Subject Parcels 1-4.

11. Based upon the foregoing facts and circumstances, I believe there is probable cause that a controlled substance(s) and/or evidence of violations of 21 U.S.C. §§ 841(a) and 846 are contained in the subject parcel. Therefore, I request to search the subject parcel for any such controlled substance(s) or evidence of violations of 21 U.S.C. §§ 841(a) and 846, and if any such contraband or evidence be found therein, to seize the same.



Joseph MacDougall
United States Postal Inspector

SUBSCRIBED TO AND SWORN TELEPHONICALLY on July 10, 2019.



Christina A. Bryan
United States Magistrate Judge